

Whereas less than half of the low-income students who participate in the National School Lunch Program also participate in the National School Breakfast Program;

Whereas almost 17,000 schools that participate in the National School Lunch Program do not participate in the National School Breakfast Program;

Whereas studies suggest that children who eat breakfast take in more nutrients, such as calcium, fiber, protein, and vitamins A, E, D, and B-6;

Whereas studies show that children who participate in school breakfast programs eat more fruits, drink more milk, and consume less saturated fat than those who do not eat breakfast; and

Whereas children who do not eat breakfast, either in school or at home, are more likely to be overweight than children who eat a healthy breakfast on a daily basis: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the importance of the National School Breakfast Program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and the positive impact of the Program on the lives of low-income children and families and on children's overall classroom performance;

(2) expresses strong support for States that have successfully implemented school breakfast programs in order to alleviate hunger and improve the test scores and grades of participating students;

(3) encourages all States to strengthen their school breakfast programs, provide incentives for the expansion of school breakfast programs, and promote improvements in the nutritional quality of breakfasts served; and

(4) recognizes the need to provide States with resources to improve the availability of adequate and nutritious breakfasts.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4108. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

SA 4109. Mr. CASEY (for himself, Mr. BROWN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 2663, supra.

SA 4110. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4111. Mr. KOHL (for himself, Mr. GRAHAM, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4112. Mrs. BOXER (for herself, Mr. COLEMAN, and Mr. MARTINEZ) submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4113. Mr. REID (for Mr. OBAMA (for himself and Mr. CARDIN)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4114. Mr. REID (for Mr. OBAMA) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4115. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4116. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4117. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4118. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4119. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4120. Ms. LANDRIEU (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4121. Mr. BUNNING (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4122. Mr. DORGAN proposed an amendment to the bill S. 2663, supra.

SA 4123. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4124. Mr. DEMINT proposed an amendment to the bill S. 2663, supra.

SA 4125. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4126. Mrs. BOXER (for herself, Mrs. FEINSTEIN, Mr. CARDIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4127. Mrs. BOXER (for herself and Mr. KENNEDY) submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4128. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4129. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4130. Mr. NELSON of Florida (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4131. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4132. Mr. BROWN (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4133. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2663, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4108.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; as follows:

On page 63, strike line 6 and all that follows through page 64, line 6, and insert the following:

in an amount not to exceed \$15,000 for costs and expenses (including attorneys' and expert witness fees) reasonably incurred, as determined by the Secretary, by the complainant for, or in connection with, the bringing of the complaint upon which the order was issued.

“(C) If the Secretary finds that a complaint under paragraph (1) is frivolous or has been brought in bad faith, the Secretary may award to the prevailing employer a reasonable attorneys' fee, not exceeding \$15,000, to be paid by the complainant.

“(4)(A) If the Secretary has not issued a final decision within 210 days after the filing of the complaint, or within 90 days after receiving a written determination, the complainant may bring an action at law or equity for review in the appropriate district court of the United States with jurisdiction, which shall have jurisdiction over such an action without regard to the amount in controversy, and which action shall, at the request of either party to such action, be tried by the court with a jury. The proceedings shall be governed by the same legal burdens of proof specified in paragraph (2)(B).

“(B) In an action brought under subparagraph (A), the court may grant injunctive relief and compensatory damages to the complainant. The court may also grant any other monetary relief to the complainant available at law or equity, not exceeding a total amount of \$50,000, including consequential damages, reasonable attorneys and expert witness fees, court costs, and punitive damages.

“(C) If the court finds that an action brought under subparagraph (A) is frivolous or has been brought in bad faith, the court may award to the prevailing employer a reasonable attorneys' fee, not exceeding \$15,000, to be paid by the complainant.

**SA 4109.** Mr. CASEY (for himself, Mr. BROWN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; as follows:

On page 103, after line 12, add the following:

#### SEC. 40. CONSUMER PRODUCT SAFETY STANDARDS USE OF FORMALDEHYDE IN TEXTILE AND APPAREL ARTICLES.

(a) **STUDY ON USE OF FORMALDEHYDE IN MANUFACTURING OF TEXTILE AND APPAREL ARTICLES.**—Not later than 2 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall conduct a study on the use of formaldehyde in the manufacture of textile and apparel articles, or in any component of such articles, to identify any risks to consumers caused by the use of formaldehyde in the manufacturing of such articles, or components of such articles.

(b) **CONSUMER PRODUCT SAFETY STANDARD.**—Not later than 3 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall prescribe a consumer product safety standard under section 7(a) of the Consumer Product Safety Act (15 U.S.C. 2056(a)) with respect to textile and apparel articles, and components of such articles, in which formaldehyde was used in the manufacture thereof.

(c) **RULE TO ESTABLISH TESTING PROGRAM.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this Act, the Consumer Product Safety Commission